

### **REMARKS/ARGUMENTS**

This Amendment is in response to the Office Action mailed October 1, 2008. Claims 21-44 were pending in the present application. This Amendment amends claims 21, 22, 25, 28-30, 33, and 35-44, leaving pending in the application claims 21-44. Applicants submit that no new matter has been introduced by virtue of these amendments. Reconsideration of the rejected claims is respectfully requested.

### **Examiner Interview**

Applicants would like to thank Examiner Pham and Supervisory Examiner Truong for the interview conducted with Applicant Robert Jensen and Applicants' representatives Bart Sullivan and Andrew Lee on October 22, 2008. Applicants' claims 21 and 25 were discussed in light of Silva et al. (U.S. Patent No. 6,184,901, hereinafter "Silva"). In particular, distinctions between the claims and the Silva reference, as well as possible clarifying amendments, were discussed.

The Examiners indicated that the discussed arguments/amendments would likely serve to distinguish the claims over Silva; however, no specific agreement was reached. The foregoing amendments and following remarks reflect the substance of the discussion.

### **35 U.S.C. §101 Rejection of Claims 37-44**

Claims 37-44 are rejected under 35 U.S.C. §101 as being directed to non-statutory subject matter. In particular, the Office Action asserts:

Claim 37 recites "A machine-readable medium." The context the medium was used in the claim would fairly suggest to one of ordinary skill signals or other forms of propagation and transmission media, type written, or handwritten text on paper, or other items failing to be appropriate manufacture under 35 USC 101 in the context of computer-related inventions. As such, the claim is drawn to a form of energy. Energy is not one of the four categories of invention and therefore this claim(s) is/are not statutory.

(Office Action: pg. 3).

Although Applicants do not agree with the rejection, solely in order to expedite prosecution claims 37-44 have been amended to recite a "tangible machine-readable medium."

(Emphasis added). Support for this amendment may be found in the Specification at, for example, page 5, lines 24-26. Applicants submit that this amendment clarifies that claims 37-44 exclude embodiments drawn purely to forms of energy. Accordingly, Applicants respectfully submit that the Section 101 rejection of claims 37-44 is overcome.

**35 U.S.C. §102 Rejection of Claims 21, 23, 25, 26, 28, 29, 31, 33, 34, 36, 37, 39, 41, 42, and 44**

Claims 21, 23, 25, 26, 28, 29, 31, 33, 34, 36, 37, 39, 41, 42, and 44 are rejected under 35 U.S.C. §102(b) as being anticipated by Silva. Applicants respectfully traverse the rejection.

**Independent Claim 21**

Applicants' independent claim 21 is directed to a method for facilitating the reuse of computer graphics models. In one set of embodiments, a first user inputs one or more commands to create a first computer graphics model, where the first computer graphics model includes a first plurality of geometric objects. For example, the first user may input commands to create a character model comprising a head object, a torso object, and the like. Each object may, in turn, include a plurality of sub-objects.

The first user then inputs a request to include a second computer graphics model in the first computer graphics model, where the second computer graphics model includes a second plurality of geometric objects, and where the second computer graphics model is independent of the first computer graphics model. For example, the first user may input a request to include a hand model in the character model, where the hand model comprises one or more finger objects, and where the hand model is separate from (and independent of) the character model.

In response to the request, a specification for the second computer graphics model is retrieved. The specification includes information identifying attributes of objects in the second computer graphics model that are overridable. For example, the specification for the hand model discussed above may include a "length" attribute for each finger object which is specifically designated as overridable in the specification.

Once the specification of the second computer graphics model is retrieved, an instance of the second computer graphics model is created and the instance is included in the first computer graphics model. For example, an instance of the hand model is created and included in the character model.

Further, for each object in the instance of the second computer graphics model, overridable attributes of the object are determined based on the specification, and the first user is allowed to override values for those overridable attributes. For example, in the case of the hand model, overridable attributes are determined for each object (*e.g.*, finger, thumb, palm, *etc.*) in the hand model. Since the “length” attributes for the finger objects of the hand model are designated as overridable in the specification, the first user is allowed to change the values for the “length” attributes.

In accordance with the above, Applicants’ independent claim 21 (as amended) recites:

A method for facilitating the reuse of computer graphics models, the method comprising:

- receiving, from a first user in a plurality of users, one or more commands for creating a first computer graphics model in a model creation environment, wherein the first computer graphics model includes a first plurality of geometric objects;
- receiving, from the first user, a request to include an instance of a second computer graphics model in the first computer graphics model, wherein the second computer graphics model includes a second plurality of geometric objects, and wherein the second computer graphics model is independent of the first computer graphics model;
- in response to the request, retrieving a specification of the second computer graphics model, the specification of the second computer graphics model including information identifying, for at least one object in the second plurality of geometric objects, one or more attributes of said at least one object that are overridable;
- creating the instance of the second computer graphics model and including said instance in the first computer graphics model; and
- for each object in the instance of the second computer graphics model:
  - determining, based on the specification of the second computer graphics model, attributes of said each object that are overridable; and

enabling the first user to override values for the attributes of said each object that are determined to be overridable.

(Applicants' independent claim 21, as amended).

Applicants submit that the features of claim 21 are not anticipated or rendered obvious by Silva. For example, Silva fails to disclose a “first computer graphics model” comprising “a first plurality of geometric objects” and a “second computer graphics model” comprising “a second plurality of geometric objects,” “wherein the second computer graphics model is independent of the first computer graphics model” as recited in claim 21.

Silva is directed to a method for modeling a three-dimensional object using a “modifier” system. Specifically, Silva describes taking an initial definition of an object (such as tube 300 of FIG. 3) and applying one or more modifiers to the initial definition to change the appearance of the object. For example, as shown in FIG. 5 of Silva, a “bend” modifier and a “twist” modifier can be applied to tube 300 to change its shape.

Thus, Silva is merely concerned with modeling a simple geometric object (e.g., tube 300) using procedural modifiers. Nowhere does Silva make reference to a model comprising a plurality of geometric objects.

Further, Silva merely describes modifying a single object. For example, tube 300 is modified using the “bend” and “twist” modifiers to change its shape. Nowhere does Silva make reference to first and second computer graphics models, wherein the second computer graphics model that is independent of the first computer graphics model.

The Office Action apparently construes tube 600 and tube 610 illustrated in FIG. 6 of Silva as corresponding to two separate models. (Office Action: pg. 5). However, as discussed during the Examiner Interview, the section of Silva describing FIG. 6 clearly indicates that tubes 600 and 610 are not separate objects (let alone separate models comprising multiple geometric objects). Rather, tube 610 is merely shown to illustrate what tube 600 would look like if one of the modifiers for 600 were disabled. (Silva: col. 13, lines 3-12: “the tube with the bend disabled 610 shows the same modified object [600] except that the bend modifier has been disabled...”). Accordingly, Silva fails to disclose (or even suggest) a “first computer graphics model” comprising “a first plurality of geometric objects” and a “second computer graphics

model” comprising “a second plurality of geometric objects,” “wherein the second computer graphics model is independent of the first computer graphics model” as recited in claim 21. (Emphasis added).

Further, Silva fails to disclose “receiving... a request to include an instance of the second computer graphics model in the first computer graphics model” as recited in claim 21. The Office Action indicates that this feature is shown in FIG. 6 of Silva. (Office Action: pg. 5). However, as indicated above, FIG. 6 does not even show two separate computer graphics models, let alone any indication that one should be included in the other.

Further, Silva fails to disclose “retrieving a specification of the second computer graphics model, the specification of the second computer graphics model including information identifying, for at least one object in the second plurality of geometric objects, one or more attributes of said at least one object that are overridable” as recited in claim 21. As an initial matter, Silva does not show the recited second computer graphics model of claim 21. Rather, Silva merely teaches a single object that is modified using one or more modifiers.

Even assuming *arguendo* that tube 610 of FIG. 6 of Silva can be considered the recited second computer graphics model of claim 21, Silva still fails to disclose retrieving a specification for tube 610, let alone a specification that includes information identifying, for geometric objects in tube 610, one or attributes of the objects that are overridable.

The Office Action construes the “definition” described in Silva as corresponding to the recited “specification of the second computer graphics model” of claim 21, and the bend modifier of tube 610 as corresponding to the recited “at least one object [that] is overridable.” (Office Action: pg. 6). However, as discussed during the Examiner Interview, the “definition” described in Silva refers to the initial definition of the tube (without any modifiers applied). Thus, this initial definition necessarily will not include any information about modifiers. In contrast, claim 21 specifically recites that the specification of the second computer graphics model includes information identifying attributes of geometric objects that are overridable.

Further, since Silva fails to disclose a specification for the second computer graphics model that includes object attribute override information, Silva necessarily fails to disclose “determining, based on the specification of the second computer graphics model,

attributes of said each object that are overridable; and enabling the first user to override values for the attributes of said each object that are determined to be overridable” as recited in claim 21. (Emphasis added).

For at least the foregoing reasons, Applicants submit that claim 21 is not anticipated or rendered obvious by Silva, and respectfully request that the rejection of claim 21 be withdrawn.

**Independent Claims 29 and 37**

Claims 29 and 37 recite features that are substantially similar to independent claim 21, and are thus believed to allowable for at least a similar rationale as discussed for claim 21, and others.

**Dependent Claims 23, 25, 26, 28, 31, 33, 34, 36, 39, 41, 42, and 44**

Claims 23, 25, 26, 28, 31, 33, 34, 36, 39, 41, 42, and 44 depend (either directly or indirectly) from independent claims 21, 29, and 37 respectively, and are thus believed to be allowable for at least a similar rationale as discussed for claims 21, 29, and 37.

In addition, these dependent claims recite additional features that distinguish over Silva. For example, claim 25 recites, in part:

receiving, from a second user in the plurality of users, one or more commands for creating a third computer graphics model in the model creation environment, the third computer graphics model including a third plurality of objects;

receiving, from the second user, a request to include an instance of the first computer graphics model in the third computer graphics model;

in response to the request, retrieving the specification of the first computer graphics model, the specification of the first computer graphics model including information identifying, for at least one object in the first plurality of geometric objects, one or more attributes of said at least one object that are overridable;

creating the instance of the first computer graphics model and including said instance in the third computer graphics model; and

for each object in the instance of the first computer graphics model:

determining, based on the specification of the first computer graphics model, attributes of said each object that are overridable; and

enabling the second user to override values for the attributes of said each object that are determined to be overridable.

(Applicants claim 25, in part, as amended).

In rejecting claim 25, the Office Action merely points to the same sections of Silva used to reject claim 21. (Office Action: pgs. 7-9). However, as discussed during the Examiner Interview, these sections of Silva make absolutely no reference to, for example, a third computer graphics model that is separate from the first and second computer graphics models, the step of including the first computer graphics model (which includes the second computer graphics model) in the third computer graphics model, or the step of determining object attributes based on the specification of the first computer graphics model that can be overridden by the creator of the third computer graphics model. Accordingly, claim 25 is believed to be allowable over Silva for at least these additional reasons.

### **35 U.S.C. §103 Rejection of Claims 22, 24, 27, 30, 32, 35, 38, 40, and 43**

Claims 22, 24, 27, 30, 32, 35, 38, 40, and 43 are rejected under 35 U.S.C. §103(a) as being unpatentable over Silva, further in view of Falacara et al. (U.S. Patent No. 6,377,263, hereinafter “Falacara”). Applicants respectfully traverse the rejection.

Claims 22, 24, 27, 30, 32, 35, 38, 40, and 43 depend from claims 21, 29, and 37 respectively, which are not rendered obvious by Silva as discussed above. As best understood, Falacara does not provide any teaching that would remedy the deficiencies of Silva in this regard. Thus, even if Silva and Falacara were combined (although there appears to be no rationale for combining), the resultant combination would not teach or suggest all of the features of claims 22, 24, 27, 30, 32, 35, 38, 40, and 43. Accordingly, Applicants respectfully request that the rejection of these claims be withdrawn.

### **Amendments to the Claims**

Unless otherwise specified, amendments to the claims are made for purposes of clarity, and are not intended to alter the scope of the claims or limit any equivalents thereof. The amendments are supported by the Specification as filed and do not add new matter.

**CONCLUSION**

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 650-326-2400.

Respectfully submitted,

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